



December 28, 2011

Mr. Robert Wilson  
Chair

**Texas Low Level Radioactive Waste Disposal Compact Commission**  
3616 Far West Blvd.-Ste. 117, #294  
Austin, TX 78731

**Re:** Response to Letter of Denial of Export for Saint-Gobain Crystals

Dear Mr. Wilson:

I am writing in reference to the letter of denial for Saint-Gobain Crystals' Request to Export, dated December 12, 2011. Please allow me to address the issues outlined in your letter as follows:

*Lack of Information/Source Inventory not present:*

The source inventory was submitted with the mailing of the original Request for Export but not with the electronic submission. It is being attached to this electronic submission and will be enclosed again with the mailing as well.

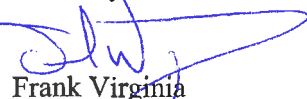
*Energy Solutions is not currently licensed to accept sealed sources:*

Although it is true that the Energy Solutions-Clive, UT facility is not licensed to receive sealed sources, many processors, including Toxco, have processing procedures for these materials that render them acceptable to Energy Solutions. Disposal volume is tracked but the physical form of the waste is no longer considered a sealed source and therefore acceptable to Energy Solutions.

Finally, I would like to remind the Compact that the waste has been physically shipped prior the Compact's Export Permit requirement and is currently in storage at Toxco-Oak Ridge, TN. Despite WCS's objections, the reality is that the WCS facility for processing these materials is still not on line and the fact that the sources are already in Oak Ridge, TN would place an undue hardship on Saint-Gobain Crystal if they were to have to ship them back to Andrews, TX for processing. Therefore, based on information and clarifications outlined in this letter, I am requesting that the Compact reconsider the original Request to Export previously addressed in your November 2011 meeting. It has been enclosed for your convenience.

Thank you in advance for your consideration in this matter. If you have any questions, please contact me at (303) 333-8521.

Sincerely,



Frank Virginia  
Vice President

Photo	Status	Isotope	QTY microCi	Serial	Date	Manuf	MANUF MARKINGS		Other	Added Markings	Comments
							MANUF	MARKINGS			
A	Inactive	CS137	10	8163GS	8/16/1985	AMERSHAM		CODE ODGR3883	#16	MOST MARKINGS FROM CAN	
B	Active	CS137	10			NUCLEUS				RED PLASTIC	
E	Active	CS137	5							ORANGE PLASTIC; PRINT BADLY WORN	
F	Active	CS137	5			OXFORD				ORANGE PLASTIC WITH YELLOW LABEL	
I	Active	CS137	10			NUCLEUS				RED PLASTIC WITH YELLOW PRINT	
J	Active	CS137	10			NUCLEUS				RED PLASTIC WITH YELLOW PRINT	
K	Active	CS137	10			NUCLEUS				RED PLASTIC WITH YELLOW PRINT	
L	Active	CS137	10			NUCLEUS				RED PLASTIC WITH YELLOW PRINT	
M	Inactive	CS137	10					SOURCE-PN 106765		SMALL METAL CAPSULE - PRINT FROM HANDLE	
N	Inactive	CO60	0.851	369-7-3	8/1/1990	ISOTOPE PRODUCT LABORATORIES				ORANGE PLASTIC WITH GOLD LABEL	
O	Inactive	SR90	0.1			NUCLEUS		BETA		GREEN PLASTIC	
P	Active	RA226	15							PRINT FROM LABEL ON ROD	
Q	Inactive	TL204	10							11; 175D03	
R	Inactive	TL204	10							12; 177D03	
S	Inactive	TL204	10							GREY PLASTIC WITH SILVER LABEL	
T	Inactive	TL204	10							13; 177D03	
U	Inactive	TL204	10							GREY PLASTIC WITH SILVER LABEL	
V	Inactive	TL204	10							14; 177D03	
W	Inactive	TL204	10							GREY PLASTIC WITH SILVER LABEL	
X	Inactive	TL204	10							15; 177D03	
Y	Inactive	TL204	10							GREY PLASTIC WITH SILVER LABEL	
Z	Inactive	TL204	10							16; 177D03	
AB	Inactive	C14	1.54		5/2/1961			NRDL#2**		GREY PLASTIC WITH SILVER LABEL	
AC	Inactive	CD109	9.231	1264-28	10/1/2007	ISOTOPE PRODUCT LABORATORIES		341.5 kBq		1.5" DIAMETER; IN METAL CASE	
AD	Inactive	TC98	0.038		10/13/1983	DUPONT		NEN		RED PLASTIC WITH WHITE LABEL	
AE	Inactive	CL36	0.0179		4/4/1985	DUPONT		NEN		34 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AF	Inactive	PM147	0.098		3/28/1985	DUPONT		NEN		38 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AG	Inactive	TC98	0.04		1/2/1990	DUPONT		BETA		32 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AH	Inactive	C14	0.172		12/28/1989	DUPONT		NEN		31 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AJ	Inactive	C14	0.157		8/16/1985	DUPONT		NEN		27 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AK	Inactive	SR90	0.018		4/4/1985	DUPONT		NEN		40 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AL	Inactive	AM2417	<17							33 IN ASSORTMENT KIT; THIN FOIL WINDOW	
AM	Inactive	AM2417	<17							NO MARKINGS, APPEARS TO BE SMOKE DETECTOR SOURCE	
AN	Inactive	AM2417	<17							NO MARKINGS, APPEARS TO BE SMOKE DETECTOR SOURCE	
AO	Inactive	AM2417	<17							NO MARKINGS, APPEARS TO BE SMOKE DETECTOR SOURCE	
AP	Inactive	"RADIUM D&E"	<1			LIONEL ELEC. LABORATORIES				BLACK AND YELLOW LABEL	

\* Actually Radium decay products Pb-210 & Bi-210  
\*\* ADDITIONAL MARKINGS ON CASE: BETA RESPONSE UNIT, ?7UCI, C-14, 84CPS FOR 7616/EP-72M, 117CSP FOR 5971/BS-I, MATERIAL LABORATORY, N.Y. NAVSHIPYD

## Petition to Export Low Level Radioactive Waste

1. **Name of Petitioner:** Saint-Gobain Crystals  
**Mailing address:** 17900 Great Lakes Parkway  
Hiram, OH 44234  
**Attn:** Jeff Kennedy
2. **Person to be contacted concerning this petition:**  
Frank Virginia  
AET Environmental, Inc.  
14 Lakeside Lane  
Denver, CO 80212  
(303) 333-8521  
[frankvirginia@aetenvironmental.com](mailto:frankvirginia@aetenvironmental.com)
3. **Proposed out of Compact Facility:**  
Processor: Toxco Materials Management Center-Oak Ridge, TN  
Disposal Facility: Energy Solutions-Clive, UT
4. **Person or entity that generated the waste:**  
Saint-Gobain Crystals  
1655 Townhurst-Suite 190  
Houston, TX 77043
5. **Effective period for which Petition is made:**  
2011-2012
6. **Total estimated volume of Class A LLRW projected to be exported during the time for which this Petition is made, including outermost container that will be used for disposal (in cubic ft.):**  
< 20 cu ft.
7. **Description of Waste:**  
Class A waste, consisting primarily of exempt sources. See attached inventory.
8. **Reason that the Petition should be granted, including health and safety issues, emergency needs (if any) and the economic impact on the Petition if the Export Petition is denied:**

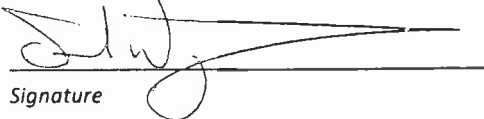
Saint-Gobain Crystals no longer has storage space as the facility is being closed. Waste was shipped for storage in December 2010, prior to implementation of the Compact's export permit requirements. Currently the waste is at the processor (Toxco) waiting for export authorization for processing and shipment for final disposal at Energy Solutions-Clive, UT. A delay in authorization for disposal could affect both the generator and treatment facility.

**9. Certification:**

- I hereby certify that the Petitioner is licensed or permitted (for radioactive material) and/or permitted (for hazardous waste), if applicable, and agrees to receive back the waste if its management or disposal is not allowed at the proposed disposal facility.
- I hereby certify that to the best of my knowledge the information provided herein is accurate and correct and that the low-level radioactive waste for which the Export Petition is submitted is packaged and shipped in accordance with applicable state and federal regulations and is acceptable for disposal at the intended disposal facility.
- I hereby certify that I am authorized by my company, facility or agency to commit it to each and every obligation and condition set forth herein.

Frank Virginia for Saint Gobain Crystals

*Print or type name*

  
\_\_\_\_\_

*Signature*

Vice President

*Title*

September 08, 2011

*Date*